

Notes from EJ Task Force Mtg 4/21/16

Incidents

-Extremely foul odor on 4/19

David Ralston (BAAQMD), possibly from Darling Int., BAAQMD sent inspectors out yesterday, inspector said complaint unconfirmed anonymous

Marie – I filed it, the smell was horrific

David – encourage call BAAQMD directly so inspector can go right away to confirm it, rendering time

Mold complaint – Karen Cohn – person far away

Alice Griffiths – Dr. Tompkins – photo shows monitor, residents 25 yd away from dev't. Previously we filed complaint, sewage pump plant impeded air flow. Weeds growing all over, between fence. Another photo high weeds. I didn't see any walk paths. These are lightweight weeds. Therefore if walking to change air filters theoretically every day to change the filters, then should see a walk path. I didn't see it. I called the BAAQMD. They said they would call Lennar. No, Air District should be responsible, not dependent on Lennar. In all EPA guidelines should not be anything impeding airflow. Diminished windflow going into filters. So will get false readings. Should be cut to the ground? Why can't we have this practice here in Hunters Point? I filed with IVAN, health department. These weeds did not just popped up. These weeds did not just pop up yesterday. Our lives matter. We are entitled to clean breath of air. Photos from the beginning of the week.

Karen Cohn – I went there yesterday. The person has to change the filter approaches from the direction where the construction site is, which is not shown in the photo. They have already trimmed it. I appreciate that you brought that up. I don't believe the intakes have been blocked in any way. They are located just below the solar lights. There is nothing blocking it.

Dr. Tompkins – I agree it is not blocking. But it is impeded. All the literature I've read, the ground is cleared. Cut it down. Then have monitoring.

Bradley – I ask all agencies attending tonight to pay attention. We invited Lennar and they are not here tonight.

Karen – I appreciate your concern. We have a difference of opinion. We will verify clearance. Yesterday, they did a good job of clearing

Dr. Tompkins - They did a foot plus. I recommend they take it down. EPA, is the area required to be cleared?

Lily – I will get back to you

Ana Mascararenas – DTSC – Sac'to – I was at the launch of IVAN. I thank Roger Kintz who has been coming to meetings representing DTSC helping IVANs in the state.

State has Calenviroscreen, which is one tool to be aware of cum impacts. We're working with multiple

parts of CalEPA to take a closer look at cum impacts. I welcome your input, we're reviewing our training programs. We want to look at background information about the other conditions in the community. We welcome your input

Navy

Tompkins – want written version to pass out.

Derek – Introduce Danielle Janda, Zach Edwards, Bill Franklin. We have a lot of information. This presentation is brief compared to the full amount of information available.

Our base is broken up into 13 parcels. They help us handle the environmental problems one at a time. Some have come to the end of the environmental process. Some are just starting.

Important thing is transferring property back to the City of SF. It's sitting in a coma. It's quite a magnificent piece of property. Plans for redeveloping include a tremendous amount of parks. It's a place I would want to bring my family. I hope the community is excited about that.

History – See presentation

Name Hunters Point (2 brothers Robert and Phillip Hunter)

Very deep water directly off Hunters Pt, so good for ship maintenance, so can put dry docks to pull ships in to work on. One of the unique aspects of base. One of the reasons Navy purchased in 1939. Full maintenance, repair, submarine, etc. area. A lot of - we have everything, the whole slew of contaminants. It's been challenging, taken a long time to address a big problem. We're doing a good job. We're starting to get close.

CERCLA – very linear, requires a lot of stakeholder involvement. The Navy wants to be done, we don't want to have to come back in the future. A lot of energy is spent to make sure we know what's out there. That's why after 20 yrs, we're still sampling, still trying to figure out the extent of the problem.

Under CERCLA, Navy is lead agency, so we select the remedy. We enter into agreement with agencies, primarily State DTSC, EPA, Water Bd. As lead State agency, DTSC brings in all the other state agencies.

Petroleum can be done under a different program. We have quite a bit. I'm not going to be talking about the petroleum. When it mixes with other, then we deal with it under CERCLA.

5 yr review – We don't say we're done, we come back to make sure the remediation, the remediation plans that we put in place stays protective. If there's a small spill, we dig it out. Anytime there's contamination that remains in the future, we come back.

Parcels B-1 & B-2 – We reseeded with Calif Nat plants, very pretty, plan open space park in future. Across B-1 & B-2, lot of excavations, installed durable cover. Entire Hunters Pt has durable cover. In many cases it is a failsafe. We've done everything we needed to do, and we put additional layer of soil or asphalt. Keeps dust from getting into community and gives SF clean slate to do their redev. Submarine pens where they would be pulled in. They also did ship work.

Parcel C – Tremendous number of large warehouses. One of the striking glass bldg did repair of periscope. Majority of the work was maintenance and machine shops. Have gw issues and gw remediation and monitoring that's ongoing. Had to take care of through Soil vapor Extraction to suck

vapors to remove contamination from vadose zone dry soil.

Parcel D-1 – Most visually striking Hunters Pt constructed – large crane. For a long time was the largest travelling crane in West Coast. Located on top of gun mole pier made out of soil and rocks. Big part of historical things that happened, used crane to take large guns off ships. This site is mostly complete. Ongoing radiological surveys. Once done, will put soil cover

Parcel E – Southern part, a lot of wildlife, planned to be a park. There's been a lot of work out there. Oil reclamation ponds where they used to dump oil into a pit caused envi problems. Many industrial activities. A whole slew of activities. It will take a long time. This is why transfer of properties is so far off.

Parcel E-2 – Big landfill was industrial A lot of different types of things to take care of seismic, water level rise, That will cost a lot of money to take care of . Recently done excavation, radiation screening

Parcel F – is our offshore area. Almost half of Hunters Pt is offshore. Majority of contam re ships parked there and runoff.

Parcel UC-3 used to be a light rail line, some areas we need to excavate

Parcel G – has been completed, square shaped because before had plan for new SF 49'ers stadium.

Summary already transferred

Parcel A, D-2, UC-1, UC-2

UC-1/2 utility corridors – long thin shaped

After the transfers, the Navy will no longer own the property

Make sure the future land users are safe. I have a team of engineers, contractors to do this work. Above and beyond, we are environmental professionals who care about envi & safety. We want to be able to take our family out there when we're done.

Procedures for determining what's safe is very conservative, it's decided by scientist, the environmental community. It's a highly visible process. It's in our information repository. You can go there, you can find those documents. It's a lot. If you're going there, it's difficult to find. Regulatory agencies important part of the process. We work w/City of SF redev plans. We take into account future land use.

Mandatory 5 yr reviews, Navy responsible for everything we do from now until forever.

Picture of new plans – This plan isn't mine, this will bring local jobs, parks, I'd be excited about it, I hope you are.

Etacia Brown – I am concerned about this image of future plans shown is just a bandaid on a permanent problem. This pollution, toxic waste is never going away completely. That's why you have to monitor every 5 yrs. Also I'm concerned by health disparities. What levels of those disparities have you taken into account in determining cleanup. Residents cancer and asthma alarming rates. Several family members all worked at Shipyard. Health disparities is reality. Should not be about how much money it costs. Should be about everybody being healthy. White and wealthy people can still get asthma too. How will you long term make sure health and safety for community?

Derek –I'm sorry for your loss of family members. There's only only, we have our own families. I wouldn't allow anything to remain here as if my own family lived here.

Anthony – This is not right. We been waiting all this time for the Navy to come here. Guy on HChannel 4 news saying he lied about where the soil. Our people's health living on top of the hill like me. Stuff flies into the air, we have kids with asthma cancer. Lives at stake. We've been lied to. Lennar not cleaning up Shipyard the right way.

Tony – When NBC started doing investigative rpt. Took Navy decades to accept responsibility for site. Once work began, independent contractors did bad job miscommunication lies, damages trust in Navy. So even if you tell the truth, people won't believe you. NBC digging around, we see smoke, wonder if fire. How can people tell be sure Tetra Tech doing what they're supposed to do when they turn around and blame subcontractors. If you don't do DOJ or Navy NCIS investigation, how can we find out?

Derek – There are ongoing investigation. You may have already seen investigation by NRC. There are additional investigation that our office is supporting. We can't say anything more because our office won't allow me to say more.

Dr. Tompkins – Dr. Ahimsa & myself on Restoration Advisory Board, had TAG grant. NBC report came out on Tetra Tech and falsification. Are you talking about Parcel G? I read the report 1,600 pages

In last news rpt on the previous (fully employed) Tetra Tech buried material in other previous area designated clean.

Rad testing in buildings – have you investigated/interviewed? Nobody from state, City, etc. have spoken to Mr. Smith re his allegations? What test do you propose to deal with where the radiation? His statement they buried it 3 ft in trenches. Surface scan 1-2 ft would never see it. What are you proposing to do? Are you going to do a stepout/

Derek – have done full investigation not only original allegations, When we found out –Zach Edwards discovered there was something going wrong, there was a Navy investigation. All samples where we thought there was an issue, they were all resampled.

Dr. Tompkins – were they the same samples?

Derek – use mass spec,

Dr. Tompkins –Were they fraudulent

Derek –

Dr. Tompkins – were there 70,000 & 87,000

Zach – I identified the problem – Soil soil samples did not match the site they came from. The reason you know that today is the Navy identified it long before the news story came out. We looked at every sample back to 2008. If any sample questionable w/oversight by independent person to verify samples not questionable.

Eric (I couldn't hear his question)

Zach – Have to meet California regulatory standards

Dr. Ahimsa Porter Sumchai – Founded Rad subcommittee of RAB 2001. Licensed physician, graduated UCSF med school. I expected the Navy presentation would focus on rad. I brought 2005 Navy basewide rad workplan. Showed map – Everything in dark gray is radiologically impacted. Historical Rad assessment (HRA) identified 91 impacted sites. At the time of published only 3 had been cleared.

I distrust Navy. This is map of 1st from HRA. Parcel A never went through all the steps, ROD said no further action. Lead levels were at cleanup levels. Never cleaned it up even though it was very close. Library pulled the original map. At Industrial landfill Navy originally planned to do no further action for most contaminated area on that base.

Radionuclides of concern from Navy's Cs-137, Ra-226, Pb isotope, Sr-90 at Parcel B, C, D, and E.

Tetra Tech 2500 anomalous soil sample 2008-2012 didn't finish investigation to 2014, by time investigation finished, radiation tech Ray Rutkerson died shipyard work known to be exposed to fraudulently cleared rad sites. For 4 yrs people had access to that site. Workers, community members, ATSDR never did statistical anal re risk. Demand OSHA investigate death of this worker. From 2008-2012 there were rad contam soil w/Ra-226 (gamma emitter strips electrons from atoms), workers being exposed they thought was cleared.

Flora Lu (Assoc prof Envi Studies, Provost Acad Head College 9 & 10) Context

Not just a movement, way of looking at problems acad rigorous. Norm of disprop burden in EJ communities. Injustices – distributional – legacy of nuclear testing disprop borne by low-income people of color. Procedural – when consent, opportunities for sustained & substantive feedback are not met. When regs exist on paper but not in practices and what happens between closed doors and shadows. Students have read thousands of pages. Acad Institutions Empower students how to think. Flora on Board of Directors of Greenaction.

Dr. Dan Hirsch,

Lucien Martin -

Maria Caine

1940 – Navy took over ownership

1946 – Naval Radiological Defense Lab – dispose contam boats from nuclear testing

1974 – Triple A machine shop – indicted for illegal disposal of haz substances at Hunters Pt

1989 – NPL

EPA Superfund – list of most dangerous contam sites in US

Responsibility – Navy, EPA, DTSC, City of SF

Key findings

-Superfund law requires Hunters Pt must be cleaned up consistent w/EPA Superfund guidance

Cleanup has been using standards that violate

Navy is using standard of 25 mrem per year = 12 of 12 chest xrays/yr

EPA didn't catch or allow happen

Using 40 yr Atomic Energy Commission guide

Navy is using RESRAD model even though EPA guidance requires use of its calculator

Navy shipping out for recycle & disposal, waste w/rad contam

Navy says using 1991 vs current PRGs

Results – cleanup standards are far more lax

Tetra Tech – false samples 4/14 – deliberately falsified readings – cannot trust

Tetra Tech continues working

Contract had not ended, tetra tech allowed to keep going

NRC Ltr – “deliberately falsified” in Parcel C, warranted investigation and intervention.

Extremely concerning

False samples

CERCLA 120(a)(2)

25 mrem/yr = 12 chest xrays/yr

AEC 1.86 (1974) 42 yr old guide, EPA said guidance is not to be used, but Navy is using it.

Where does the waste go? Have not been able to find standards Navy uses to transport waste. Not in any form on Envirostor site. If you don't know, then you can't know if it's safe to transport through your town.

Level I & Level II Waste Disposal sites.

EPA PRGs Current EPA PRG

Factors are greater Radium 226 – 259 times more protective.

Levels substantially higher. Ra-226 killed Marie Curie and her daughter.

Eric – cleanup to residential standards- not sure all parts of the site?

Dan Hirsch –

Hunters Pt Ambient levels

Durable cover – cover up vs. cleanup – threat to future generations

Instead of clean up, Navy is relying upon institutional controls, not allowed to garden, dig, build enclosed structures

Conclusions – cleanup efforts not consistent w/EPA guidelines

- Out of date standards

- Safety concerns
- Disposal of rad materials in unlicensed sites
- Cleanup vs cover up

Dan Hirsch – Impacted community – Agencies supposed to remedy – don’t tell the whole story. Read gov’t documents from back. We have looked at footnotes & details. This is a Superfund site, one of most contam sites in country, required by law to be cleaned up consistent w/Superfund guidance. That has not occurred. Standards for buildings & equipment choice of 2 standards 25 mrem/yr. Doctor balances risk of chest xray vs cancer risk. USEPA has declared 25 mrem yr is not protective of public health and this standard is not to be used at Superfund site. It is 1000 times the risk that EPA aims for at Superfund sites. Navy should not be using.

Reg Guide – AEC not existed since 1975. Never designed for contam site. Designed to see what kind of sensitivity can expect from handheld devices in 1965.

Navy said used EPA’s PRGs for soil. Table – compare w/1991 EPA goals – if compare numbers

Ra-226 – 260 times higher

Thorium 487 times higher

Plutonium 72 times higher

EPA didn’t catch or condone.

EPA’s Regional HQ is here in SF.

Tetra tech – found by NRC Office of Investigation – “deliberately falsified” soil conditions.

Using standards much cleaner than current standards must be used.

Navy standards for buildings and equipment – equipment can be resold, metals can be recycled, waste can go out for disposal. Standards are inflated. Under US law not allowed – Attempt to create new requirement “Below reg concern level” but did not pass law.

Shipped to places not licensed, e.g. Kettleman City, Buttonwillow.

Why did a group of students have to go through these doc’s and discover. Why weren’t we protected by agencies? Why in 5 yr review did you not catch this? This has gone on year after year? EPA became aware because of the students?

Navy – I didn’t hear a word in the presentation by Tetra Tech? How could you show up and not talk about it, knowing that people would ask you? This is deeply troubling?

Our program provides assistance to communities impacted? You should not have to rely on us. A bunch of parcels released thought were clean.

How do you go back and fix that?

Regan Patterson – PhD student UC Berkeley –

Ronald- Navy - How can transfer constantly go on when not clean? I’m a transporter

Derek – This is a lot of information that is hard to understand.

Eric – please avoid making pejorative statements about audience

Derek – 2 parcels already transferred were only housing. Other 2 parcels were utility corridors where any issues have been removed.

Ronald – Why is City of SF in such a rush to take it over and not make sure that everything is clean

Derek – City is making sure this is clean.

Ronald – we have known for a while that Tetra Tech is forging paperwork. Transfers

Derek – no one is more upset re Tetra tech than I am

Ronald – Landfill should be taken out and not capped

Dr. Porter- labs of NRD L were on Parcel A on Crisp Ave. were on Parcels that transferred last yr had been taken Bldgs 813, 826, scientists poured rad waste into drains, that is why they had to pull drains.

Michael – 1.4 million cubic tons of toxic waste. All these tests on E-2, according to data you did a lot of tests on E-2, we were told the stuff was so bad Navy was afraid to take it out bc it was too dangerous. That was before sea level rise. They cleaned out presidio, Why won't they clean out in Bayview?

Derek – I can't really talk about the Presidio. I can say that E-2 has been sampled is a landfill. What do you do with a landfill? If you have to dig it out, have to bury it somewhere else. Very safe, taken into account sea level rise, seismic. Cap is very safe.

Michael – Will Navy do some more testing?

Derek – After work is completed, scan the surface to make sure to remove any high level of radiation. Then they put the cover and scan again. It will use this park when it's done' It is going to be safe.

Dr. Tompkins – I chaired the chemical committee in RAB. 1992 did you do any core samples after the 2000 fire burned 105 days, Navy never touched cap again. You told RAB board put the cap to smother, didn't test air for 27 days. Didn't parallel test inside dioxin. You sampled for trapping the gas and do analysis on the trapped gas that you capture in the filter. Navy did not & had not taken core samples to verify. Lori Loman DoD 199? – 20% of E-2 rad impacted. Last PR mtg planned to put seawall in mud, not in bedrock. Any superfund site in US on red diffraction zone w/ 20% volume of soil. I don't know of any. 86.5 % of SF wanted that site cleaned up to residential levels. I helped to organize a vote. You & regulators overrode and said want to cap. Falsely represented to RAB was temporary. Now say want to control, not get rid of it. Never heard from navy when earthquake comes.

Derek – There's a lot of information. We don't have time to address even half of the points. Soil cover being put in place now. Will

1,600 yrs half life for Polonium. 1,600 yrs maintenance, wouldn't be more advantageous to take it away. If it doesn't go here, will need to be somewhere else.

Marie – I need to assure my community you will come back prepared to answer our questions, we have night & daytime mtg. Pick a date to give you the time that is necessary to answer our questions? Will you return & select a date?

If you have any questions, call me, email me.

Derek – In this format, I think it's much better to get the questions ahead of time. Today everybody's talking over everyone, 10 questions deep, it's really difficult to give a meaningful answer

Etecia – My family is going to remain. My children's, children will be here. I am personally concerned. I have a connection to this community. You said Hunters Pt belonged to brothers, but Hunters Pt belonged to the Ohlone people. Please don't lie to people and say you would bring your children to the park play. There are signs that say do not eat pregnant women and children to eat the fish, then how can you say it's safe. The cleanup has been going on for 27 yrs, it has still not been cleaned up to these standards. It's not enough to nod your head and put up data. You said people should send you email, half people cannot access computer

People get slow responses when try to call Navy.

Questions ahead of time doesn't make any sense. Whether one parcel or another doesn't matter bc it's exposing everyone through asbestos into the air. You are not from here. It's not acceptable to say send an email or call us. We need to see community in person and not be afraid of the truth. No money should be worth human lives to you. It makes you no better than Hitler.

How can we be sure that Tetra Tech is not going to further provide false information? What can you comment on levels of cleanup goals being used in the process? Is that data wrong? Is there some kind of misunderstanding?

Derek – investigation ongoing, will not be put into use until after investigation, if there is

Speaker? What about those already transferred?

Tetra tech has to finish contract from before, they have not gotten new contracts since 2014. We hired independent oversights - We have resolved everything known to date.

Navy doesn't just evaluate EPA guidelines, we evaluate state, etc. across the board select the most conservative. We have to be consistent, doesn't mean have to follow every single details.

EPA's been with us along the way, they've been verified with the current EPA

EPA reviews are after the fact. But law requires must set standards,

After the fact, af

Violate by averaging,

EPA uses incremental vs entire

Other errors

RODs 2012 – cleanup standards employed are old ones. That are much less protective. Over the years, Nat'l acad of sciences determined ionizing radiation, EPA consistently – Hunters Pt cleaned up to standards that were weaker. EPA should not evaluate after the fact

Stunned EPA own estimates – risk was 1 in 10, after cleanup estimate risks as 4×10^{-4} which is outside EPA's acceptable risk range. Should be 1 in a million. Problem is chemicals as well as

EPA didn't do in reviews

I hope that EPA will fix the internal problem that led to this debacle. I hope EPA, DTSC doesn't view as PR vs Public Health problem.

Derek – Showing still safe.

Dan – Navy should not prejudge for PR

10 yrs from now likely find not good enough

Moffett Field – TCE after declared safe had to amend bc underestimated risk from vapor intrusion. Over time standards become tighter and tighter.

Dan – Derek would not commit in advance. Has been asking for document, don't get them. If believe not safe, then no reason not to provide document quickly or come and answer direct questions. If really safe, then should be willing to come whenever ask. Then we ask for documents, like where the waste went, should be readily available, and not something to hide

Derek – we come to community multiple times a yr, sign up for our mailer, you'll get reminded when these happen. We have 4 bus tours. We firmly believe this is safe.

Dr. Tompkins - We view as PR piece. When we had RAB –

- Why given the fact that you have a ltr from NRC, saying falsification, like My Lai incident. They made \$300M. Why not just get rid of them since they have an established history for screwing it up?
- To regulators – What is your position on this. Immediate halt?
- Sewage cleanup, any dust suppression – moisture mist, not seen any of these at Shipyard

Ahimsa Sumchai – Why no criminal charges filed in face of fraud. 3 people charged in Flint, MI criminally for coverups re lead in water. Substantiated w/criminal fraud

Derek – NRC is first to come out w/findings. Both criminal and civil looking into this, not yet come out.

Dr. Sumcha – 2008 – why took so long

Derek – I agree taking too long

Dr. Tompkins - Why can't get hire someone else?

Derek – must follow Fed contracting